

**MINUTE ITEM**

This Calendar Item No. 50 was approved as  
Minute Item No. 50 by the California State Lands  
Commission by a vote of 2 to 0 at its  
12-14-06 meeting.

**Minute Item  
50**

12-14-06

B. Dugal

**CALIFORNIA STATE LANDS COMMISSION**

**Regular Item 50:** The Commission was asked by the Controller to consider a resolution supporting the remediation of sediment contamination in San Diego Bay. The item was approved as presented by a 2-0 vote.

**The item was approved as presented by a 2-0 vote.**

002836

MINUTE PAGE

**CALENDAR ITEM**

**C50**

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12/14/06

S 39

B. Dugal

**CONSIDER ADOPTION OF A RESOLUTION SUPPORTING THE REMEDIATION OF  
CONTAMINATED SEDIMENTS IN SAN DIEGO BAY**

The California State Lands Commission is considering the adoption of a resolution proposed by the Controller which supports the remediation of contaminated sediments in San Diego Bay.

The sediment in certain portions of San Diego Bay have been contaminated by a wide variety of toxic materials, including, but not limited to, zinc, copper, tributyltin, mercury, petroleum, chromium, lead, PAHs and PCBs. Most of these toxic materials found their way into the sediment from storm water and rain water runoff from the shipyards, boatyards, and industrial facilities that line the Bay, and possibly from runoff from upland urban uses. The contamination is believed to have been occurring over a period of many decades.

There are three active shipyards in San Diego Bay, as well as several boatyards. The San Diego Regional Water Quality Control Board issued a Tentative Clean Up and Abatement Order (TCAO) on April 29, 2005. The TCAO addressed the contaminated marine sediment within and adjacent to the Southwest Marine (now BAE Systems) and National Steel and Shipbuilding Company (NASSCO) located generally between the Sampson Street extension and the mouth of Chollas Creek. The parties named in the TCAO are: NASSCO, a subsidiary of General Dynamics Company; Southwest Marine, Inc. (Southwest Marine); the City of San Diego; Marine Construction and Design Company and Campbell Industries, Inc.; Chevron, a subsidiary of ChevronTexaco; BP as the Parent Company and Successor to Atlantic Richfield Company; San Diego Gas and Electric, a subsidiary of Sempra Energy Company; and the United States Navy.

To date, the process for finalizing the TCAO is in its early stages. A technical analysis is currently being prepared by staff of the Regional Water Quality Control Board to further support the TCAO. It is anticipated that remediation may consist of processing the sediment in place or removal of the contaminated sediment.

The Resolution urges the Regional Water Quality Control Board to expeditiously complete the technical analysis and issue and implement a Cleanup and Abatement Order that effectively remediates the contaminated sediments and protects the important public resources in San Diego Bay.

000385

CALENDAR PAGE

002837

MINUTE PAGE

**EXHIBIT A**  
**RESOLUTION BY THE CALIFORNIA STATE LANDS COMMISSION**  
**REGARDING SEDIMENT QUALITY IN SAN DIEGO BAY**

**WHEREAS**, elevated levels of pollutants above background conditions exist in the San Diego Bay (Bay) bottom marine sediment generally between the Sampson Street extension and the mouth of Chollas Creek in the City of San Diego (Shipyard Sediment Site), and

**WHEREAS**, the concentrations of these pollutants causes or threatens to cause conditions of pollution, contamination, and nuisance in the Bay that impairs the aquatic life, aquatic dependent wildlife, and human health, categories of beneficial uses at this site, and

**WHEREAS**, shipyard, municipal, and industrial dischargers have caused or permitted the discharge of pollutants to the Shipyard Sediment Site resulting in the accumulation of pollutants in the marine sediment, and

**WHEREAS**, more than 50 years of discharges into the Bay have left nationally recognized toxic hot spots in the Bay, and

**WHEREAS**, a 1998 National Oceanographic and Atmospheric Administration *State of the Coastal Environment* report found pervasive toxicity and toxic hot spots in the Bay, and

**WHEREAS**, many chemicals in the contaminated sediments are of concern to human health, and

**WHEREAS**, studies indicate that there are significant health risks to people who consume Bay fish at higher rates of consumption than the average recreational fisher, and

**WHEREAS**, the *Survey of Fishers on Piers in San Diego Bay* undertaken by Environmental Health Coalition conducted in 2004 reveals that a significant population of fishers frequently fish near contaminated areas of the Bay, and

**WHEREAS**, this potential public health threat led the Port of San Diego to place fish advisory warnings at piers throughout the Bay, and

**WHEREAS**, in April 2005 the San Diego Regional Water Quality Board (Regional Board) released a Tentative Cleanup and Abatement Order (TCAO) for eight named parties, including both major shipyards, to remove 885,000 cubic yards of tainted sediment at an estimated cost of \$96 million, and

**WHEREAS**, delays in issuing a TCAO are detrimental to the quality of water and sediments in the Bay and its users; therefore, be it

**RESOLVED**, by the California State Lands Commission that it supports a cleanup plan for San Diego Bay sediments that fully protects beneficial uses and human health, and be it also

**RESOLVED**, that the California State Lands Commission urges the Regional Board to move as expeditiously as possible in issuing and implementing a Cleanup and Abatement Order that effectively remediates the contamination and protects the public resources.

Adopted by the State Lands Commission on \_\_\_\_\_

000386

CALENDAR PAGE

002838

MINUTE PAGE